

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Permits 1269 and
11529, Issued on Applications 2145
and 12532, Respectively,
YUBA COUNTY WATER DISTRICT AND
YUBA COUNTY
Permittees

Order: WR 75-3
Source: New York Creek
County: Yuba

ORDER DENYING RECONSIDERATION OF ORDER WR 73-52

Order WR 73-52 adopted on December 6, 1973, denied petitions for change in character of use of water and revoked the subject permits. Yuba County Water District and Yuba County filed a petition on January 4, 1974, requesting that Order WR73-52 be reconsidered.

On January 17, 1974, the Board adopted Order WR 74-1, which granted reconsideration of Order WR 73-52, subject to the following condition:

"...reconsideration of Board Order WR 73-52 is granted upon the condition that the aforesaid plan is submitted to the State Water Resources Control Board on or before March 18, 1974. If the report is favorable toward proceeding, the Board shall set a hearing to determine what further action shall be taken. In the event such plan is not received by the Board by said date or if the consultants find that an adequate plan is not feasible, the petition for reconsideration shall be deemed denied."

The financial plan anticipated by Order WR 74-1 was submitted. The plan contemplated approval of a bond issue by the District voters to finance the New York Flat Project. A special bond election was held in conjunction with the general election of November 5, 1974. A "Canvass and Statement of Result of Election" issued by the county clerk of Yuba County on November 26, 1974, indicates that issuance of bonds was not approved by the District electorate.

The State Water Resources Control Board finds that the permittees do not have a feasible plan for proceeding with the project covered by Permits 1269 and 11529; therefore, the petition for reconsideration of Order WR 73-52 is denied.

Dated: January 16, 1975

W.W. ADAMS

W. W. Adams, Chairman

RONALD B. ROBIE

Ronald B. Robie, Vice Chairman

ROY E. DODSON

Roy E. Dodson, Member

MRS. CARL H. (JEAN) AUER

Mrs. Carl H. (Jean) Auer, Member

W. DON MAUGHAN

W. Don Maughan, Member